

Montana State Legislature

2015 SESSION

ADDITIONAL DOCUMENTS

Business Page

[Signed by Chairman]

Roll Call

Standing Committee Reports

Tabled Bills

Fiscal Reports

Rolls Call Votes

Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

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2015 Legislative

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BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

HOUSE BUSINESS AND LABOR COMMITTEE

Date: Thursday, February 5, 2015

Place: Capitol

Time: 8:30 A.M.

Room: 172

BILLS and RESOLUTIONS HEARD:

HB 343 - Prohibit request of online passwords as a condition of hiring or employment - Rep. Bryce Bennett

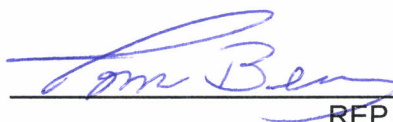
HB 347 - Establish qualifications for & continuing education of Bd of Investments members - Rep. Virginia Court

HB 363 - Revise laws regarding default of student loans - Rep. Moffie Funk

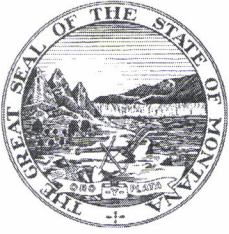
EXECUTIVE ACTION TAKEN:

HB 119	Do pass as amended
HB 259	Do pass as amended
HB 273	Tabled
HB 324	Do pass
SB 4	Be concurred in
SB 35	Be concurred in
SB 36	Be concurred in

Comments:



REP. Tom Berry, Chair



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES
BUSINESS & LABOR COMMITTEE

ROLL CALL

DATE : February 5, 2015

NAME	PRESENT	ABSENT/EXCUSED
REP. TOM BERRY, CHAIRMAN	✓	
REP. DANIEL SALOMON, VICE CHAIR	✓	
REP. RYAN LYNCH, VICE CHAIR	✓	
REP. CHRISTY CLARK		✓
REP. WILLIS CURDY	✓	
REP. STEVE FITZPATRICK		✓
REP. CHUCK HUNTER	✓	
REP. GEORGE KIPP III	✓	
REP. MIKE LANG	✓	
REP. DAVID (DOC) MOORE	✓	
REP. MARK NOLAND	✓	
REP. ANDREA OLSEN		✓
REP. GORDON PIERSON		✓
REP. CHRISTOPHER POPE	✓	
REP. VINCE RICCI	✓	
REP. TOM RICHMOND	✓	
REP. SCOTT STAFFANSON	✓	
REP. TOM STEENBERG	✓	
REP. JEFFREY WELBORN	✓	

19 MEMBERS



HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 10

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 119** (first reading copy -- white) **do pass as amended.**

Signed: 
Representative Tom Berry, Chair

And, that such amendments read:

1. Page 2.

Following: line 8

Insert: "(2) "NAIC" means the national association of insurance commissioners."

Renumber: subsequent subsections

2. Page 2, line 10.

Following: "adopted by"

Insert: "the"

3. Page 2, line 11.

Following: "commissioner."

Insert: "A change to the ORSA guidance manual is effective on January 1 following the calendar year in which the commissioner adopts the changed manual by rule."

4. Page 2, line 14.

Following: the second "assessment"

Insert: ", appropriate to the nature, scale, and complexity of an insurer or insurance group,"

5. Page 2, line 18.

Strike: "a study"

Committee Vote:

Yes 19, No 0

Fiscal Note Required X

HB0119002SC.hbb

OK
2/5/15
12:55

Insert: "of the elements used"

6. Page 3.

Following: line 13

Insert: "(3) The report must be prepared consistent with the ORSA guidance manual and this section. Documentation and supporting information must be maintained and made available for an examination or on request of the commissioner."

Renumber: subsequent subsection

7. Page 3.

Following: line 21

Insert: "(5) An insurer may comply with this section by providing the most recent and substantially similar report provided by the insurer or another member of an insurance group of which the insurer is a member to the insurance regulator of another state or to a supervisor or regulator of a foreign jurisdiction, if that report provides information that is comparable to the information described in the ORSA guidance manual. A report in a language other than English must be accompanied by a translation of the report into English."

8. Page 3, line 24.

Strike: "completing an ORSA summary report"

Insert: "the requirements of [sections 1 through 9]"

9. Page 4, line 22.

Strike: the second "or"

10. Page 4, line 23.

Following: "33-2-1904"

Insert: ";

(iii) if the insurer is in hazardous financial condition as described in 33-2-1321; or

(iv) if the insurer exhibits the qualities of a troubled insurer as determined by the commissioner"

11. Page 4.

Following: line 26

Insert: "(6) If an insurer qualifies for an exemption pursuant to subsection (1) but subsequently no longer qualifies for that exemption because of changes in premium as reflected in the insurer's most recent annual statement or in the most recent annual statements of the insurers within the insurance group of which the insurer is a member, the insurer has 1 year following the year in which the threshold was exceeded to comply with the requirements of [sections 1

through 9]."

12. Page 4, line 30.

Following: "person"

Insert: "under [sections 1 through 9]"

Strike: "confidential" through "treated as"

Insert: "recognized as proprietary and"

Following: "secrets"

Insert: "."

13. Page 5, line 1.

Strike: "as defined in 30-14-402. As a trade secret the"

Insert: "The"

Following: "information is"

Insert: "confidential by law and"

14. Page 5, line 2.

Following: "discovery,"

Insert: "the provisions of 2-6-102,"

Following: "Act"

Insert: ", 5 U.S.C. 552"

15. Page 5, line 9.

Following: "may"

Insert: ", on request,"

Following: "information"

Insert: ", including proprietary and trade secret documents and materials,"

16. Page 5, line 12.

Following: "verify"

Insert: "in writing"

17. Page 5, line 14.

Following: "receive"

Insert: "ORSA-related"

Following: "information"

Insert: ", including otherwise confidential and privileged documents, materials, or other information that may include proprietary and trade secret information or documents,"

18. Page 5, line 28.

Following: "(e) require"

Insert: "prompt"

19. Page 6.

Following: line 9

Insert: "(8) Information in the possession of or control of the NAIC or a third-party consultant pursuant to [sections 1 through 9] is confidential by law and privileged, is not admissible in evidence in any private civil action, and is not subject to 2-6-102, subpoena, or discovery."

Renumber: subsequent subsection

20. Page 8, line 11 through line 12.

Strike: "after the operative" on line 11 through "manual" on line 12

21. Page 9, line 12.

Following: "(3);"

Insert: "or"

22. Page 11, line 10.

Following: "request."

Insert: "A report under this subsection (3)(c) is required after the commissioner has adopted rules as provided in [section 16]."

23. Page 11, line 13.

Strike: "(1)"

24. Page 11, line 16 through line 17.

Strike: subsection (2) in its entirety

25. Page 11, line 19 through line 20.

Strike: "subsections" on line 19 through "(5)" on line 20

Insert: "subsection (9)"

26. Page 11, line 27 through page 12, line 5.

Strike: subsection (4) in its entirety

Insert: "(4) Subject to the conditions in subsection (4)(c), the commissioner may, to assist in the performance of the commissioner's duties, share:

(a) confidential information with other state, federal, and international regulatory agencies and with the NAIC and its affiliates and subsidiaries upon agreement that the confidential information will be kept confidential; and

(b) only confidential information as defined in subsections (10)(a)(i)(A) and (10)(a)(i)(D) with:

(i) the actuarial board for counseling and discipline or its successor upon a request that states the confidential information is required for use in professional disciplinary

proceedings; and

(ii) state, federal, and international law enforcement officials; and

(c) the information under this subsection (4) only if the recipient of the information has the legal authority to agree, and the recipient has agreed, to maintain the confidentiality and privileged status of the documents, materials, data, and other information in the same manner and to the same extent as required for the commissioner.

(5) (a) The commissioner may receive documents, materials, data, and other information, including otherwise confidential and privileged documents, materials, data, and other information, from:

(i) the NAIC and its affiliates and subsidiaries;

(ii) regulatory or law enforcement officials of other foreign or domestic jurisdictions; and

(iii) the actuarial board for counseling and discipline or its successor.

(b) The commissioner shall maintain as confidential or privileged any documents, materials, data, or other information received from the entities listed in subsection (5)(a) with notice or the understanding that the documents, materials, data, or other information is confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, data, or other information."

Renumber: subsequent subsections

27. Page 12, line 7.

Strike: "subsection (4)"

Insert: "this section"

28. Page 12, line 9.

Strike: "subsections (4) and (5)"

Insert: "this section"

29. Page 12, line 12.

Strike: "subsection (1)"

Insert: "this section"

30. Page 12.

Following: line 13

Insert: "(9) The confidential information defined in subsections (10)(a)(i)(A) and (10)(a)(i)(D) may:

(a) be subject to subpoena for the purpose of defending an action seeking damages from the appointed actuary submitting the related memorandum in support of an opinion submitted under 33-2-521 or a principle-based valuation report developed pursuant to [section 13(3)(c)] by reason of an action required by [sections

10 through 16];

(b) be otherwise released by the commissioner with the written consent of the company; or

(c) no longer be confidential for all portions after any portion of a memorandum in support of an opinion submitted under 33-2-521 or a principle-based valuation report developed under [section 13(3)(c)] is cited by the company in its marketing or is publicly volunteered to or before a governmental agency other than a state insurance department or is released by the company to the news media."

Renumber: subsequent subsections

31. Page 12, line 20.

Strike: "(8)(a)(ii)(A)"

Insert: "(10)(a)(ii)(A)"

32. Page 12, line 27.

Strike: "associated"

Insert: "other"

33. Page 13, line 8.

Strike: "This"

Insert: "The"

Following: "information"

Insert: "under this subsection (10)(a)(i)(E)"

34. Page 13, line 10.

Strike: "(8)(a)(i)(E)"

Insert: "(10)(a)(i)(E)"

35. Page 23, line 13 through line 14.

Strike: "In addition" on line 13 through "requirements" on line 14

Insert: "For policies issued prior to the operative date"

36. Page 25, line 24.

Following: "insurer that"

Insert: ", if not remedied promptly,"

37. Page 29, line 26.

Following: "commissioner, is"

Insert: "either directly or through its affiliates"

38. Page 33, line 21.

Following: "to the insurer"

Insert: "to the best of the controlling person's knowledge and belief"

39. Page 34, line 20.

Following: "statement,"

Insert: "any summary of the registration statement,"

40. Page 37, line 28 through page 38, line 21.

Strike: subsection (1) through subsection (4) in their entirety

Insert: "(1) Documents, materials, and other information in the possession or control of the commissioner that are obtained by or disclosed to the commissioner or any other person in the course of an examination or investigation made pursuant to 33-2-1115 and all information reported pursuant to 33-2-1104(3)(1), 33-2-1104(3)(m), 33-2-1111, and 33-2-1113 must be confidential by law and privileged, are not subject to 2-6-102, subpoena, or discovery, and are not admissible in evidence in any private civil action. The commissioner is authorized to use the documents, materials, and other information to further any regulatory or legal action brought as a part of the commissioner's official duties. The commissioner may not otherwise make the documents, materials, or other information public without the prior written consent of the insurer to which the documents, materials, or other information pertains unless the commissioner, after giving notice and an opportunity to be heard to the insurer and the insurer's affiliates who would be affected, determines that the interest of policyholders, shareholders, or the public would be served by the publication. On a determination that the interest of policyholders, shareholders, or the public would be served, the commissioner may publish all or any part of the documents, materials, or other information in a manner that the commissioner considers appropriate.

(2) Neither the commissioner nor any person who receives documents, materials, or other information while acting under the authority of the commissioner, or with whom the documents, materials, or other information is shared under [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section, may be required or permitted to testify in a private civil action concerning any confidential documents, materials, or information subject to subsection (1).

(3) To assist in the performance of the commissioner's duties, the commissioner:

(a) may, subject to subsection (3)(b), share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (1), with other state, federal, and international regulatory agencies, with the NAIC and its affiliates and subsidiaries, and with state, federal, and international law

enforcement authorities, including members of a supervisory college. To receive the shared documents, materials, or other information, the recipient shall verify in writing that the recipient has the legal authority to maintain confidentiality and agree in writing to maintain the confidentiality and privileged status of the documents, materials, or other information.

(b) may share confidential and privileged documents, materials, or other information reported pursuant to 33-2-1111(7) only with insurance regulators of states having statutes or regulations substantially similar to subsection (1) and only if the respective insurance regulators have agreed in writing not to disclose the documents, materials, or other information;

(c) may receive documents, materials, or other information, including otherwise confidential and privileged documents, materials, or other information from the NAIC and its affiliates and subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions; and

(d) shall maintain as confidential or privileged any document, materials, or other information received under subsection (3)(c) with notice or the understanding that the document, materials, or other information is confidential or privileged under the laws of the jurisdiction that is the source of the document, materials, or information."

41. Page 38, line 22.

Strike: "(5)(a)"

Insert: "(4)(a)"

Renumber: subsequent subsections

42. Page 38, line 25.

Strike: "section"

Insert: "subsection (4)"

43. Page 39, line 7.

Following: "affiliates"

Insert: "and subsidiaries"

44. Page 39, line 8.

Following: "affiliates"

Insert: "and subsidiaries"

45. Page 39, line 10 through line 13.

Strike: subsection (6) in its entirety

Insert: "(5) The sharing of information by the commissioner pursuant to [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section does not constitute a delegation of regulatory authority or rulemaking. The commissioner is solely responsible for the

administration, execution, and enforcement of the provisions of [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section."

Renumber: subsequent subsections

46. Page 39, line 15.

Following: "subsections"

Insert: "(3) and"

Strike: "and (5)"

47. Page 39, line 18 through line 22.

Strike: subsections (8) and (9) in their entirety

Insert: "(7) Documents, materials, and other information in the possession or control of the NAIC pursuant to [sections 10 through 16], 33-2-521 through 33-2-529, 33-2-531, 33-2-537, and this section are confidential by law and privileged, are not admissible in evidence in a private civil action, and are not subject to 2-6-102, subpoena, or discovery."

48. Page 41, line 1.

Strike: "deduction"

Insert: "reduction"

49. Page 41, line 2.

Following: "(6)."

Insert: "Credit must be allowed under subsections (2), (3), or (4) only in respect to cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a U.S. branch of an alien assuming insurer, in the state through which the branch of the alien assuming insurer entered and is licensed to transact insurance or reinsurance."

50. Page 41, line 6.

Following: "accredited"

Insert: "by the commissioner"

51. Page 42, line 11.

Following: "fund."

Insert: "The assuming insurer shall submit to examination of its books and records by the commissioner and shall bear the expense of examination."

52. Page 48.

Following: line 11

Insert: "(10) A ceding insurer shall take steps:

(a) to manage the reinsurance recoverables proportionate to the ceding insurer's own book of business. A domestic ceding insurer shall provide notice to the commissioner within 30 days after:

(i) the reinsurance recoverables from any single assuming insurer or group of affiliated assuming insurers exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders; or

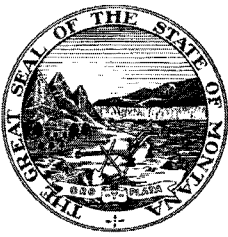
(ii) a determination that the reinsurance recoverables from any single assuming insurer or group of affiliated assuming insurers is likely to exceed the limit in subsection (10)(a)(i).

(b) to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after ceding to any single assuming insurer or group of affiliated assuming insurers more than 20% of the ceding insurer's gross written premium in the prior calendar year or after the domestic ceding insurer has determined that the reinsurance ceded to any single assuming insurer or group of affiliated assuming insurers is likely to exceed the 20% limit.

(c) The notifications made pursuant to this subsection (10) must demonstrate that the exposure is safely managed by the domestic ceding insurer."

Renumber: subsequent subsection

- END -



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

BUSINESS & LABOR COMMITTEE

ROLL CALL VOTE

BILL NUMBER 2

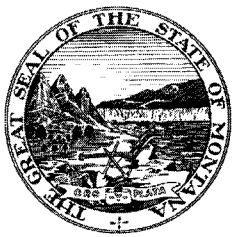
DATE Feb 5 2015

MOTION HB 259 HB025903. add

NAME	AYE	NO	PROXY
REP. DANIEL SALOMON, VICE CHAIRMAN	✓		
REP. RYAN LYNCH, VICE CHAIRMAN	✓		
REP. CHRISTY CLARK	✓		✓
REP. WILLIS CURDY	✓		
REP. STEVE FITZPATRICK	✓		
REP. CHUCK HUNTER	✓		✓
REP. GEORGE KIPP III	✓		
REP. MIKE LANG	✓		✓
REP. DAVID (DOC) MOORE	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN		✓	
REP. GORDON PIERSON	✓		
REP. CHRISTOPHER POPE	✓		
REP. VINCE RICCI	✓		
REP. TOM RICHMOND	✓		
REP. SCOTT STAFFANSON	✓		✓
REP. TOM STEENBERG	✓		
REP. JEFFREY WELBORN	✓		✓
REP. TOM BERRY, CHAIRMAN	✓		

18 1

19 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

BUSINESS & LABOR COMMITTEE

ROLL CALL VOTE

BILL NUMBER 259

DATE Feb 5 2015

MOTION HB 259 HB25901.

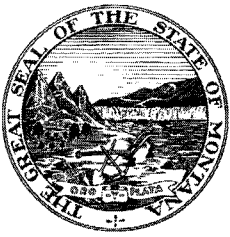
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NAME	AYE	NO	PROXY
REP. DANIEL SALOMON, VICE CHAIRMAN		✓	
REP. RYAN LYNCH, VICE CHAIRMAN	✓		
REP. CHRISTY CLARK		✓	✓
REP. WILLIS CURDY	✓		
REP. STEVE FITZPATRICK		✓	
REP. CHUCK HUNTER	✓		✓
REP. GEORGE KIPP III	✓		
REP. MIKE LANG		✓	✓
REP. DAVID (DOC) MOORE		✓	
REP. MARK NOLAND		✓	
REP. ANDREA OLSEN	✓		
REP. GORDON PIERSON	✓		
REP. CHRISTOPHER POPE	✓		
REP. VINCE RICCI		✓	
REP. TOM RICHMOND		✓	
REP. SCOTT STAFFANSON		✓	✓
REP. TOM STEENBERG	✓		
REP. JEFFREY WELBORN		✓	✓
REP. TOM BERRY, CHAIRMAN		✓	

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19 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

BUSINESS & LABOR COMMITTEE

ROLL CALL VOTE

BILL NUMBER 259

DATE Feb 5 2015

MOTION HB 259 as amended

NAME	AYE	NO	PROXY
REP. DANIEL SALOMON, VICE CHAIRMAN	✓		
REP. RYAN LYNCH, VICE CHAIRMAN	✓		
REP. CHRISTY CLARK	✓		✓
REP. WILLIS CURDY	✓		
REP. STEVE FITZPATRICK	✓		
REP. CHUCK HUNTER	✓		✓
REP. GEORGE KIPP III	✓		
REP. MIKE LANG	✓		✓
REP. DAVID (DOC) MOORE	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN		✓	
REP. GORDON PIERSON	✓		
REP. CHRISTOPHER POPE	✓		
REP. VINCE RICCI	✓		
REP. TOM RICHMOND	✓		
REP. SCOTT STAFFANSON	✓		✓
REP. TOM STEENBERG	✓		
REP. JEFFREY WELBORN	✓		✓
REP. TOM BERRY, CHAIRMAN	✓		

18 1

19 MEMBERS



HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 259** (first reading copy -- white) **do pass as amended**.

Signed: _____

Representative Tom Berry, Chair

And, that such amendments read:

1. Page 2, line 1.

Following: "(2)"

Insert: "(a)"

Strike: "A"

Insert: "Except as provided in subsection (2)(b), a"

2. Page 2.

Following: line 6

Insert: "(b) A dealer may offer for sale or may sell or exchange a vehicle without having the assigned certificate of ownership, certificate of title, or manufacturer's certificate of origin if:

(i) the dealer has applied for the title as provided in Title 61, chapter 3, part 2; or

(ii) the vehicle is financed by the dealer as inventory through a financial institution, the financial institution holds the certificate of ownership, certificate of title, or manufacturer's certificate of origin as collateral, and the dealer has a readily accessible photocopy, electronic copy, or digital copy of the certificate of ownership, certificate of title, or manufacturer's certificate of origin."

- END -

Committee Vote:

Yes 18, No 1

Fiscal Note Required ☐

HB0259001SC.hbb

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3:30

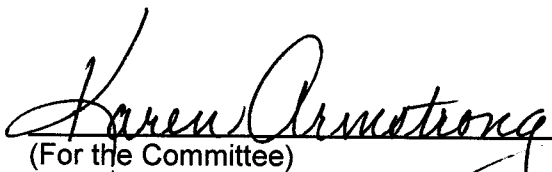
BILL TABLED NOTICE

HOUSE BUSINESS AND LABOR COMMITTEE

The HOUSE BUSINESS AND LABOR COMMITTEE TABLED

HB 273 - Revise liquor laws - Rep. Vince Ricci

by motion, on **Thursday, February 5, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).


(For the Committee)

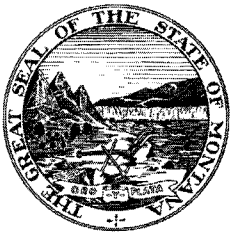

(For the Chief Clerk of the House)

1:00 2/5/15
(Time) (Date)

February 5, 2015 (12:15pm)

Karen Armstrong, Secretary

Phone: 4650



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

BUSINESS & LABOR COMMITTEE

ROLL CALL VOTE

BILL NUMBER 273

DATE _____

MOTION HB 273 as amended

NAME	AYE	NO	PROXY
REP. DANIEL SALOMON, VICE CHAIRMAN		✓	
REP. RYAN LYNCH, VICE CHAIRMAN		✓	
REP. CHRISTY CLARK	✓		✓
REP. WILLIS CURDY		✓	
REP. STEVE FITZPATRICK		✓	
REP. CHUCK HUNTER		✓	✓
REP. GEORGE KIPP III		✓	
REP. MIKE LANG		✓	✓
REP. DAVID (DOC) MOORE	✓		
REP. MARK NOLAND		✓	
REP. ANDREA OLSEN		✓	
REP. GORDON PIERSON		✓	
REP. CHRISTOPHER POPE		✓	
REP. VINCE RICCI	✓		
REP. TOM RICHMOND	✓		
REP. SCOTT STAFFANSON		✓	✓
REP. TOM STEENBERG		✓	
REP. JEFFREY WELBORN		✓	✓
REP. TOM BERRY, CHAIRMAN		✓	

4 15

19 MEMBERS



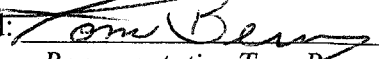
HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 4** (third reading copy - blue) **be concurred in.**

Signed: 
Representative Tom Berry, Chair

To be carried by Representative Andrea Olsen

- END -

Committee Vote:

Yes 19, No 0

Fiscal Note Required ☐

SB0004001SC16398.hbb

AL
2/5/15
12:15



HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 35** (third reading copy -- blue) **be concurred in.**

Signed: 
Representative ~~Tom~~ Berry, Chair

To be carried by Representative Christopher Pope

- END -

Committee Vote:

Yes 19, No 0

Fiscal Note Required ☐

SB0035001SC16520.hbb

AL
2/5/15
12:15



HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **Senate Bill 36** (third reading copy -- blue) be concurred in.

Signed: Tom Berry
Representative ~~Tom~~ Berry, Chair

To be carried by Representative Tom Steenberg

- END -

Committee Vote:

Yes 19, No 0

Fiscal Note Required ☐

SB0036001SC15264.hbb

U
2/5/15
12:15



HOUSE STANDING COMMITTEE REPORT

February 5, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 324** (first reading copy -- white) **do pass**.

Signed: _____

Representative Tom Berry, Chair

- END -

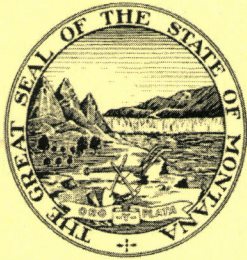
Committee Vote:

Yes 19, No 0

Fiscal Note Required ____

HB0324001SC.hbb

CL
2/5/15
12:15



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Business & Labor - House

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Salomon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 119 Amendment	X				
HB 119	X				
HB 259 Amendment 03	X				
HB 259 Amendment 01		X			
HB 259	X				
HB 273 Amendment	X				
HB 273	X				
HB 273 table	X				
HB 324	X				
SB 4	X				
SB 35	X				
SB 36	X				

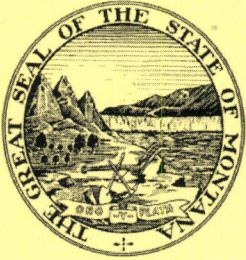
DRS

Rep.

Chris Clark
(Signature)

Date

2-5-15



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Ryan Lynd

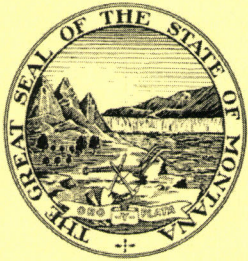
Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 119 ^{HB 01902.47} _{Amended}	X	
HB 119 as amended	X	
HB 259 025903.26d	X	
HB 259 025901.4pm	X	
HB 259 as amended	X	
HB 273 027301.4PM	X	
HB 273 as amended		X
HB 324	X	
SB 4	X	
SB 35	X	
SB 36	X	

BILL/AMENDMENT	AYE	NO

Rep. Chuck Hunter
(Signature)

Date 2-5-15



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Business's Lobby

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Solomon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

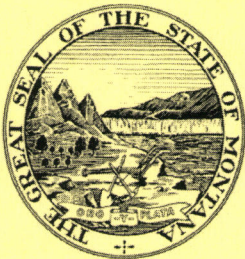
BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 119 - Amendment	X				
HB 119	X				
HB 259 Amendment 03	X				
HB 259 Amend 01		X			
HB 259	X				
HB 273 Amendment	X				
HB 273		X			
HB 273 Table	X				
HB 324	X				
SB 4	X				
SB 35	X				
SB 36	X				

Rep.

Michael Long
(Signature)

Date

2-5-15



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the

Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Salomon

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

BILL/AMENDMENT

AYE

NO

HB 119 - Amendment	X	
HB 119	X	
HB 259 Amendment 03	X	
HB 259 Amendment 01		X
HB 259	X	
HB 273 Amendment	X	
HB 273		X
HB 273 Table	X	
HB 324	X	
SB 4	X	
SB 35	X	
SB 36	X	

DBS

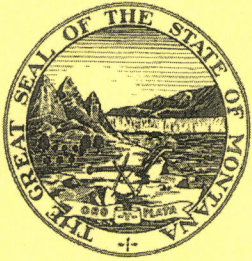
Rep.

(Signature)

Scott Steffensen

Date

2-5-15



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Business & Labor

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Salom

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

BILL/AMENDMENT

AYE

NO

HB 119 - Amendment	X	
HB 119	X	
HB 259 Amendment 03	X	
HB 259 Amendment 01		X
HB 259	X	
HB 273 Amendment	X	
HB 273		X
HB 273 - table	X	
HB 324	X	
SB 4	X	
SB 35	X	
SB 36	X	

DRS

Rep.

(Signature)

Date

2-5-15

**MONTANA House of Representatives
Visitors Register
HOUSE BUSINESS AND LABOR COMMITTEE**

Thursday, February 5, 2015

HB 347 - Establish qualifications for & continuing education of Bd of Investments members

Sponsor: Rep. Virginia Court

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA House of Representatives Visitors Register

Thursday, February 5, 2015

HB 343 - Prohibit request of online passwords as a condition of hiring or employment

Sponsor: Rep. Bryce Bennett



PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA House of Representatives
Visitors Register
HOUSE BUSINESS AND LABOR COMMITTEE**

Thursday, February 5, 2015

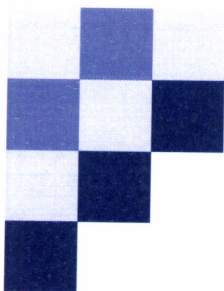
HB 363 - Revise laws regarding default of student loans

Sponsor: Rep. Moffie Funk

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.



PERFORMANCE AUDIT State Investment Management and Governance Practices Montana Board of Investments

JANUARY 2014

12P-10

REPORT SUMMARY

The Montana Board of Investments provides effective oversight of over \$15 billion in assets; strengthening the credentials and qualifications of Board of Investments members and making other changes in management and governance practices would improve the Board of Investments' ability to manage the large, complex assets under its care.

Context

In 1972, Montana voters ratified a new constitution that directed the legislature to provide for a Unified Investment Program. This program includes responsibility for investing state pension moneys and public funds. The Montana Board of Investments (board) as it exists today is a product of this constitutional mandate, which resulted in all the assets of the state's retirement systems, and those of other state and local government agencies, being invested through a single program. Today the board is responsible for management of over \$15 billion in assets on behalf of the state's pension funds and state and local government agencies.

During our review, we determined the qualifications for citizens appointed by the Governor to the board have not changed since the 1980s. Meanwhile, the institutional investing arena has grown exponentially more complex over that time. Further, many states have more stringent experience and education requirements for the people with fiduciary responsibility for investing pension funds and other public money.

Results

Our audit found that board staff is following its policies and generally meeting industry best practice standards in performing due diligence on potential investments. We also found the organizational structure of the board's investment staff is appropriate for the asset mix and investment style currently mandated by the board, and the compensation policies of the board are consistent with peers within the public institutional investment industry.

Our report includes six recommendations related to the management and governance of the investing activities of the board, including recommending:

- ♦ The Montana Legislature increase the experience requirements for members of the board,
- ♦ The board enhance and require the ongoing educational activities provided to board members, and
- ♦ The board seek revisions to the Montana Procurement Act to provide an exemption for the contracting of external investment services.

Other recommendations are in the areas of asset allocation and the annual affirmation thereof; other tasks required by the charters of the board and its various committees; and the board's proxy voting program.

(continued on back)

Recommendation Concurrence	
Concur	4
Partially Concur	0
Do Not Concur	1
Source: Agency audit response included in final report.	

For a complete copy of the report (12P-10) or for further information, contact the Legislative Audit Division at 406-444-3122; e-mail to lad@mt.gov; or check the web site at <http://leg.mt.gov/audit>
 Report Fraud, Waste, and Abuse to the Legislative Auditor's FRAUD HOTLINE
 Call toll-free 1-800-222-4446, or e-mail ladhotline@mt.gov.

DATE **ADDITIONAL**
DOCUMENTS



— STATE OF MONTANA —

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PERFORMANCE AUDITOR

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Email: JohnHarrington@mt.gov

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